

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:06cv43**

DAVID T. WILSON,)	
)	
Plaintiff,)	
)	
vs.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
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J U D G M E N T

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion for Summary Judgment [Doc. 18] is **GRANTED** to the extent that the Plaintiff seeks reversal of the Commissioner's decision denying him disability benefits. To the extent that the Plaintiff seeks an immediate award of benefits, the Plaintiff's Motion [Doc. 18] is **DENIED**.

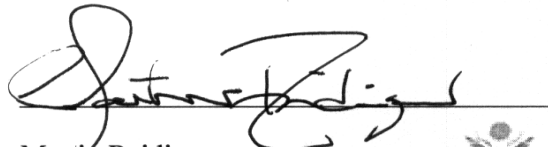
Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the decision of the Commissioner under Sentence Four

of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED**, and this case is hereby **REMANDED** to the Commissioner for further administrative action consistent herewith and with the accompanying Memorandum of Decision and Order.

IT IS FURTHER ORDERED that the Defendant's Motion for Summary Judgment [Doc. 20] is **DENIED**.

IT IS SO ORDERED.

Signed: April 21, 2009


Martin Reidinger
United States District Judge

